

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ATMEL CORPORATION,

Plaintiff,

v.

AUTHENTEC INC,

Defendant.

No. C-06-02138 CW (EDL)

**ORDER VACATING HEARING ON
DEFENDANT'S MOTION TO MODIFY
DESIGNATION OF ALLEGEDLY
HIGHLY CONFIDENTIAL
DOCUMENTS, SETTING CONFERENCE
CALL**

On November 21, 2007, Defendant filed a Motion to Modify the Designation of Allegedly Highly Confidential Documents along with a Motion to Shorten Time to hear that motion on December 11, 2007. On November 29, 2007, the Court granted the Motion to Shorten Time, set a briefing schedule and set the motion hearing for December 11, 2007.

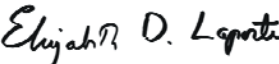
On December 3, 2007, the Court issued an Order denying without prejudice Defendant's Motion To Compel Atmel's Compliance with Discovery Obligations for failure to meet and confer as required by Federal Rule of Civil Procedure 37(a)(2)(A) and Civil Local Rule 1-5(n). The Court ordered senior counsel from each party to meet and confer in person regarding all pending and future discovery disputes, including the Motion to Modify. In its December 5, 2007 reply to its Motion to Modify, Defendant stated that senior counsel had scheduled a meet and confer session for December 11, 2007, the same morning as the scheduled hearing on the Motion to Modify.

In light of the scheduled meet and confer session, the December 11, 2007 hearing is vacated. The Court expects that senior counsel will resolve all, or at least the vast majority, of the discovery disputes raised in the Motion to Modify. The Court is mindful, however, that the Motion to Modify must be resolved promptly due to the December 18, 2007 mediation. Accordingly, the Court will hold a conference call with senior counsel on December 11, 2007 at 3:00 p.m. PST to find out

whether any disputes remain with respect to the Motion to Modify and, if so, establish a timeline for resolving those disputes.

IT IS SO ORDERED.

Dated: December 7, 2007



ELIZABETH D. LAPORTE
United States Magistrate Judge